

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAWRENCIA L. MERRICK and
NATASHA M. WOLFE,

Defendants.

8:17CR154

ORDER

This matter is before the Court on separate Motions to Suppress filed respectively by Lawrencia L. Merrick (“Merrick”) (Filing No. 75) and Natasha M. Wolfe (“Wolfe”) (Filing No. 73). The magistrate judge¹ issued findings and a recommendation for each motion (Filing Nos. 111, 112), recommending that the Court deny Merrick’s motion and grant Wolfe’s. The magistrate judge’s proposed findings and recommendations advised the parties that “[f]ailure to timely object may constitute a waiver of any such objection.”

Under 28 U.S.C. § 636(b)(1), the Court must “make a de novo review of . . . specified proposed findings or recommendations to which objection is made,” but only when such an objection is made. *See Peretz v. United States*, 501 U.S. 923, 939 (1991). Failing to timely object, “eliminates not only the need for de novo review, but *any* review by the district court.” *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609, 619-20 (8th Cir. 2009) (discussing *Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *see also* Fed. R. Crim. P. 59 (a), (b)(2) (stating that failing to timely object waives the right to review of both nondispositive and dispositive matters); NECrimR 59.2(a), (e).

The Court has not received any objections to any of the magistrate judge’s findings and recommendations within the time permitted. In light of the foregoing,

IT IS ORDERED:

1. The magistrate judge’s respective findings and recommendations as to defendant Lawrencia L. Merrick (Filing No. 112) and as to defendant Natasha M. Wolfe (Filing No. 111) are accepted. Any objections are deemed waived.

¹The Honorable Michael D. Nelson, United States Magistrate Judge for the District of Nebraska.

2. Lawrencia L. Merrick's Motion to Suppress (Filing No. 75) is denied.
3. Natasha M. Wolfe's Motion to Suppress (Filing No. 73) is granted.

Dated this 1st day of December, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to be "R. Rossiter Jr.", written over a horizontal line.

Robert F. Rossiter Jr.
United States District Judge